

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

IN RE: AETNA UCR LITIGATION,

Master File No. 07-3541 (KSH)(CLW)
MDL NO. 2020

This Document Relates To: ALL CASES

STIPULATION OF DISMISSAL

IT IS HEREBY STIPULATED by and among the parties and their counsel as follows:

1. Civil Action No. 07-3541/MDL Master Docket. Each of the named plaintiffs joining in the Fourth Joint Consolidated Amended Class Action Complaint for MDL 2020 (Michele Cooper, Michele Werner, Paul Smith, Sharon Smith, Carolyn Samit, John Seney, Alan John Silver, Mary Ellen Silver, Jeffrey M. Weintraub, Frank G. Tonrey, M.D., and Carmen M. Kavali, M.D.), dismisses all of his or her respective claims, and this case, with prejudice, with all parties bearing their own costs. In addition, for avoidance of doubt, to the extent these plaintiffs ever asserted or had any claims in any other case that was consolidated into or otherwise a part of MDL 2020 which were not previously dismissed with prejudice, they also dismiss these other claims with prejudice, with all parties bearing their own costs.

2. Civil Action No. 09-468. John Seney, the sole plaintiff in Civil Action No. 09-468, hereby dismisses his claims, and that case, with prejudice, all parties bearing their own costs. In addition, for avoidance of doubt, to the extent Mr. Seney ever asserted or had any claims in any other case that was consolidated into or otherwise a part of MDL 2020 which were not previously dismissed with prejudice, he also dismisses these other claims with prejudice, with all parties bearing their own costs.

3. Civil Action No. 09-1577. Kathy Tisko, P.T., the sole plaintiff in Civil Action No. 09-1577, hereby dismisses her claims, and that case, with prejudice, all parties bearing their

own costs. In addition, to the extent Ms. Tisko ever asserted or had any claims in any other case that was consolidated into or otherwise a part of MDL 2020 which were not previously dismissed with prejudice, she also dismisses those other claims with prejudice, with all parties bearing their own costs.

4. Civil Action No. 09-2027. Jeffrey M. Weintraub, the sole plaintiff in Civil Action No. 09-2027, hereby dismisses his claims, and that case, with prejudice, all parties bearing their own costs. In addition, to the extent Mr. Weintraub ever asserted or had any claims in any other case that was consolidated into or otherwise a part of MDL 2020 which were not previously dismissed with prejudice, he also dismisses those other claims with prejudice, with all parties bearing their own costs.

5. Civil Action No. 09-3972. North Peninsula Surgical Center, L.P., the sole plaintiff in Civil Action No. 09-3972, hereby dismisses its claims, and that case, with prejudice, all parties shall bearing their own costs. In addition, to the extent North Peninsula ever asserted or had any claims in any other case that was consolidated into or otherwise a part of MDL 2020, it also dismisses those other claims with prejudice, with all parties bearing their own costs.

6. Civil Action No. 10-721. Alan John Silver and Mary Ellen Silver, the sole plaintiffs in Civil Action No. 10-721, hereby dismiss their claims, and that case, with prejudice, all parties shall bearing their own costs. In addition, to the extent Alan John Silver or Mary Ellen Silver ever asserted or had any claims in any other case that was consolidated into or otherwise a part of MDL 2020, they also dismisses those other claims with prejudice, with all parties bearing their own costs.

7. The foregoing does not resolve any claims in Civil Action Nos. 10-636, 11-3196, and 11-3203.

8. Defendants consent to and join in each of the above dismissals.

DATED: October 22, 2018

CARELLA, BYRNE, CECCHI,
OLSTEIN, BRODY & AGNELLO, P.C.

Attorneys for Plaintiffs

JOHN SENEY, ALAN JOHN SILVER,
MARY ELLEN SILVER, FRANK G.
TONREY, M.D., CARMEN M. KAVALI,
M.D., NORTH PENINSULA SURGICAL
CENTER, L.P.

By: /s/ James E. Cecchi

JAMES E. CECCHI

SCOTT + SCOTT, Attorneys at Law LLP

Attorneys for Plaintiff

JEFFREY M. WEINTRAUB

By: /s/ Joseph P. Guglielmo

JOSEPH P. GUGLIELMO

EPSTEIN P.C.

Attorneys for Plaintiffs

MICHELE COOPER, MICHELE WERNER,
PAUL AND SHARON SMITH and
CAROLYN SAMIT

By: /s/ Roy A. Epstein

ROY A. EPSTEIN

LITE DEPALMA GREENBERG, LLC

Attorneys for Plaintiff

KATHY TISKO, P.T.

By: /s/ Bruce D. Greenberg

BRUCE D. GREENBERG

CONNELL FOLEY LLP

Attorneys for Defendants

By: /s/ Patricia A. Lee

PATRICIA A. LEE

**Pursuant to the foregoing stipulation,
the Clerk of the Court is directed to
close Civil Action Nos. 09-468, 09-1577,
09-2027, 09-3972, and 10-721.**

SO ORDERED.

November 2, 2018

